

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**WILLIAM BELL,
Plaintiff,**

v.

Case No. 12-C-1059

**STATE OF WISCONSIN,
MILWAUKEE CHILD SUPPORT,
Defendant.**

DECISION AND ORDER

William Bell, proceeding pro se, has filed a complaint in this court and seeks leave to proceed without prepaying the \$350 filing fee. However, I have reviewed Bell's complaint and cannot identify any claims that could possibly proceed in federal court. Bell alleges that jurisdiction is appropriate under 18 U.S.C. § 242, but that is a criminal statute, not a statute creating a civil cause of action. Although it is possible that Bell meant to bring his cause of action under 42 U.S.C. § 1983, he does not allege facts indicating that any person acting under color of state law deprived him of any federally protected rights. His sole factual allegation is the following:

I William Bell "Natural Person" has been deprived of my rights by the STATE OF WISCONSIN, MILWAUKEE CHILD SUPPORT through extortion, piracy, fraud, conspiracy to deprive rights and etc. Within the past twelve (12) years the defendant has used fraud an[d] documents to conspire to pirate/and pirate my income, the last incident being on the date of October 3, 2012.

(Compl. ¶ 4.) Bell does not describe the acts that violated his rights, and he does not identify the specific person or persons who committed those acts. Moreover, there is no such entity as the "State of Wisconsin, Milwaukee Child Support," and so Bell has not named a proper defendant—i.e., a "person" who could be liable under § 1983.

Because I can identify no substantial federal claim, I will dismiss Bell's complaint without prejudice for lack of subject matter jurisdiction. See, e.g., Greater Chicago Combine & Center, Inc. v. City of Chicago, 431 F.3d 1065, 1069 (7th Cir. 2005). His motion for leave to proceed without prepayment of the filing fee will also be denied.

Accordingly, **IT IS ORDERED** that plaintiff's request to proceed without prepayment of the filing fee is **DENIED**.

IT IS FURTHER ORDERED that this case is **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.

Dated at Milwaukee, Wisconsin this 29th day of October, 2012.

s/ Lynn Adelman

LYNN ADELMAN
District Judge